

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

GENERAL LAND OFFICE  
OF THE STATE OF TEXAS,

Plaintiff,

v.

UNITED STATES FISH AND WILDLIFE  
SERVICE, et al

Defendants.

No. A-17-CA-00538-SS

**PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF TIME**

Plaintiff General Land Office of the State of Texas hereby respectfully requests that the Court grant this motion for extension of time until May 15, 2018, to file Plaintiff's Motion for Summary Judgment, and to extend all subsequent deadlines accordingly. Plaintiff's counsel has conferred with counsel for the Federal Defendants and was advised that the Federal Defendants do not oppose this motion.

Under the current Scheduling Order [Dkt. 55], Plaintiff's Motion for Summary Judgment is due on or before May 1, 2018. Defendants' combined Response and Cross-Motion for Summary Judgment is due on or before June 15, 2018. Any amicus briefs must be filed on or before June 22, 2018. Plaintiff's combined Reply and Response to Federal Defendants' Cross-Motion for Summary Judgment is due on or before July 18, 2018, and Federal Defendants' Reply is due on or before August 3, 2018.

Plaintiff respectfully requests that this Court extend the deadline for its Motion for Summary Judgment and all following deadlines by two weeks due to the confluence of deadlines in other courts with which Plaintiff's counsel must comply, including a filing deadline of April 30, 2018, in the Supreme Court of the United States and a filing deadline of May 11, 2018, in the United States

Court of Appeals for the Seventh Circuit. Accordingly, Plaintiff proposes the following modest extension of the current deadlines in the instant case:

- Plaintiff shall file its Motion for Summary Judgment, not to exceed 40 pages, on or before May 15, 2018.
- Federal Defendants shall file their combined response and Cross-Motion for Summary judgment, not to exceed 40 pages, on or before June 29, 2018.
- Amici curiae shall file an amicus brief, not to exceed 20 pages, no later than July 6, 2018.
- Plaintiff shall file its combined reply and response to Federal Defendants' Cross-Motion for Summary Judgment, not to exceed 20 pages, on or before August 1, 2018.
- Federal Defendants shall file their reply, not to exceed 10 pages, on or before August 17, 2018.

Plaintiff respectfully requests that this Court grant this unopposed motion and extend the deadline for Plaintiff's Motion for Summary Judgment, and all following deadlines, as set forth above and in the proposed Order filed herewith.

Date: April 5, 2018

Respectfully submitted,

ROBERT E. HENNEKE  
Texas Bar No. 24046058  
[rhenneke@texaspolicy.com](mailto:rhenneke@texaspolicy.com)  
THEODORE HADZI-ANTICH  
California Bar No. 264663  
[tha@texaspolicy.com](mailto:tha@texaspolicy.com)  
ERIN WILCOX  
N.C. Bar No. 40078  
[ewilcox@texaspolicy.com](mailto:ewilcox@texaspolicy.com)

By: s/Theodore Hadzi-Antich  
THEODORE HADZI-ANTICH  
TEXAS PUBLIC POLICY FOUNDATION  
Center for the American Future  
901 Congress Avenue  
Austin, Texas 78701  
Telephone: (512) 472-2700  
Facsimile: (512) 472-2728

*Attorneys for Plaintiff*  
*General Land Office of the State of Texas*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 5, 2018, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Western District of Texas by using the CM/ECF system, which will serve a copy of the same on the counsel of record.

*s/Theodore Hadzi-Antich*  
THEODORE HADZI-ANTICH